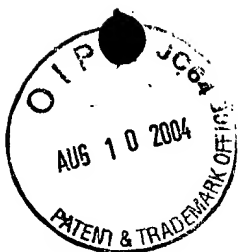


PATENT



ATTORNEY DOCKET NO. CSHL.005.00US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Roberto Malinow, *et al.*

) Examiner:

Serial No.: 09/193,221

) Art Unit:

Filed: November 16, 1998

For: DIAGNOSTIC METHODS FOR
DRUG SCREENING FOR
ALZHEIMER'S DISEASE

COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20231

Dear Sir:

PETITION UNDER 37 CFR §1.181

Applicants' attorney petitions the Honorable Commissioner to confirm the filing date accorded the subject application.

A filing date was accorded the subject application. The cover sheet and postcard did not indicate that drawings were included, but the application does refer to 5 figures. It is possible that the drawings accompanied the application when filed and that two errors were committed: failure to indicate the presence of the drawings with the documents; and the loss of the drawings at the Patent Office. However, since the situation is not free from doubt, applicants' attorney is filing this petition.

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on July 16, 1999.

Signature:

Printed Name:

Barbara Rae-Venter

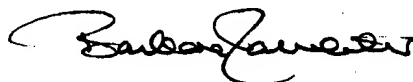
Accompanying this response is an amendment canceling the references to the drawings. Since the drawings are unnecessary for a complete description of the invention, the filing date accorded the subject application should be confirmed.

The claimed subject invention is a method for screening drugs for treatment of Alzheimer's disease. The methodology employed is based on published procedures. The figures are graphs whose data are extensively set forth in the specification in the description of the figures. The data set forth are adequate for demonstrating the results and providing a comparison for the results obtained to results which might be obtained in the future. In addition, there is verbal description of the methodology, in addition to the literature directions, direction one would expect for the results for an effective drug, as well as standards to be used. See particularly, page 8, line 1 to page 9, line 29.

The drawings are unnecessary for an understanding of the methodology, the nature of the cells used and the anticipated results for effectiveness of a drug. The drawings graph the results reported in the literature and merely provided a convenient assembly of the data. Copies of the drawings are submitted herewith for the Examiner's convenience, but not for completing the application as filed.

In view of the above remarks, the Honorable Commissioner is respectfully requested to confirm the filing date accorded the subject application and direct prosecution of this application. The appropriate fee accompanies this petition.

Respectfully submitted.



Bertram I. Rowland, Ph.D.

Reg. No. 20,015 *Reg. No. 32,750*